

Divisions: N/A

## CABINET – 24 JANUARY 2023

### DELEGATED POWERS – QUARTERLY REPORT

Report by the Director of Law & Governance

#### RECOMMENDATION

1. Cabinet is **RECOMMENDED** to note the executive decisions taken under delegated powers, set out in paragraph 4.

#### Executive Summary

2. Under the Scheme of Delegation in the Council's Constitution (Part 7.1, paragraph 6.3 (c)(i)), the Chief Executive is authorised to undertake an executive function on behalf of the Cabinet. Cabinet receives a quarterly report on the use of this delegated power in relation to such executive decisions; that is, decisions that might otherwise have been taken by Cabinet.
3. This report refers to executive decisions taken during the period October to December 2022 inclusive.

#### Executive decisions – October to December 2022

4. The following executive decisions were taken during this period:

Date	Subject	Decision	Reason
12 Oct 2022	Contractual arrangements with Illy Systems	Approved an exemption from tendering under Contract Procedure Rule ("CPR") 20 to extend the current contractual end date with Illy Systems from 31 July 2023 to 31 March 2026	<p>There were a number of significant risks associated with conducting an open procurement process for the continued delivery of this System.</p> <p>Therefore, the decision was made to:</p> <ul style="list-style-type: none"><li>• Provide stability in the service at a crucial period of the COVID recovery stage</li><li>• Allow sufficient time to review the impact of any changes to the Community Alcohol and Drugs service in April 2024 and allow for the required procurement and lead in migration time should a procurement of the system be required</li><li>• Avoid additional strain being placed on service providers</li></ul>

Date	Subject	Decision	Reason
			<p>at a time when demand for services is at an all-time high</p> <ul style="list-style-type: none"> <li>• Maintain the data quality and performance against the Public Health outcomes framework.</li> </ul>
17 Oct 2022	Pre & Post Adoption Training & Buddy Scheme	Approved an exemption from tendering under Contract Procedure Rule (“CPR”) 20 to continue to engage the services of a provider of training services for adoptive parents.	Requesting a 9-month exemption period which will incorporate 6 months for the pending re-tender of the contract and a further 3 months to cover the transitional period between handover of the incumbent to any new Provider, should this be the outcome of the tender process.
1 Dec 2022	Extension to existing provision for E-Scooters	Approved an exemption from tendering under Contract Procedure Rule (“CPR”) 20 for a further extension of the current concession contract between OCC and Voi Technology UK LTD (“Voi”) which was scheduled to expire 30 November 2022.	<p>Further extending the Contract to 31 May 2023, will allow the trial to extend to users across a wider geographic area to benefit from the e-scooters for a longer period and avoid a break in service for those users relying on the scheme. It will also allow Voi, OCC and the DfT to leverage a larger dataset to inform any future planning or decision making.</p> <p>The primary aim of the trial is to build a robust evidence base about the safety, benefits, public perceptions and wider impacts of e-scooters in order to inform legal changes that may be necessary after the trial ends. The secondary aim is to understand how the local transport system is working, what factors support or hinder this and learn lessons for future rollout.</p> <p>Extending the trial for this further period would give Voi and the Council more time to fulfil these aims.</p>

Date	Subject	Decision	Reason
9 Dec 2022	Information & Advice services and Live Well Oxfordshire Administrative support	Approved an exemption from tendering under Contract Procedure Rule (“CPR”) 20 to award a contract to Age UK Oxfordshire for the provision of Community Information Network including the additional administrative support for Live Well Oxfordshire, the Locality Team Oxfordshire Way service and the Ageing Well (Oxford Health) service from 1 November 2022 to 31 March 2023.	<p>The Council has a statutory requirement under the Care Act 2014 to provide information and advice services. If we did not have these services, the Council would be breaching its statutory duty. There is no alternative and a pause in the provision would be acting unlawfully.</p> <p>It is acknowledged that a direct award was given to Age UK Oxfordshire under a CPR exemption on the basis that a 12-month period was required to reach a decision on future procurement strategy. The intention was for providers in the market to come together to explore a consortium to strengthen partnerships and the information provision to individuals in the community. This period did not prove lengthy enough to galvanise all of the components necessary for a consortium to emerge. It was not our intention to extend the contract again.</p> <p>The short nature of the contract would not be attractive to the limited specialist market.</p>

## Legal Implications

- There are no legal implications arising from this report. It is a requirement of the Council’s Constitution (Part 7.1, paragraph 6.3(c)(i) that Cabinet receive a quarterly report on the use by the Chief Executive of executive functions. Each of the decisions reported were undertaken in the context of a legal appraisal.

## Financial Implications

- There are no financial implications arising from the recommendations in this report. It is a procedural item reporting on decisions previously taken. Each of the decisions reported were undertaken in consultation with the Director of Finance.

**ANITA BRADLEY**

Director of Law & Governance

Background Papers: Nil

Contact Officers: Colm Ó Caomhánaigh, Committee Officer: 07393 001096

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